



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/714,887)
In re. application of: HEARD, Jacqueline *et al.*)
Filed: 13 November, 2003)
Art Unit: 1638)
Examiner: Not yet Assigned)
Docket No. MBI-0058CIP)
Customer No. 47550)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide
Sequence and/or Amino Acid Sequence Disclosure**

Dear Sir:

In response to the Notice to Comply dated September 12, 2005 for the above-referenced application, Applicants submit a CRF copy of the Sequence Listing under CFR §1.821(e), and a Statement regarding the CRF copy of the Sequence Listing pursuant to CFR §1.821(e).

This Response is filed within two months of the date of the Notice to File Missing Parts; therefore, this Response is timely filed. Accordingly, no fees are due with this Response. If, however, the Commissioner determines that a fee is due, the Commissioner is hereby authorized to charge such fee to Mendel Biotechnology, Inc. **Deposit Account No. 50-1025.**

Respectfully submitted,

MENDEL BIOTECHNOLOGY, INC.

Date: September 23, 2005

By: _____

Jeffrey M. Libby, Ph.D.
Reg. No. 48,251

Mendel Biotechnology, Inc.
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Jm

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

10/714,887

Filing Date

November 13, 2003

First Named Inventor

HEARD, Jacqueline

Art Unit

1638

Examiner Name

Not yet assigned

Attorney Docket Number

MBI-0058CIP

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply (1 page)	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	See Remarks
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

1. Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (2 pages)
2. Statement to Support Submission of CRF Copy of Sequence Listing Pursuant to 37 C.F.R. §1.821(e) (2 pages)
3. Return Postcard

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Mendel Biotechnology, Inc.		
Signature	<i>Jeffrey M. Libby</i>		
Printed name	Jeffrey M. Libby		
Date	September 23, 2005	Reg. No.	48,251

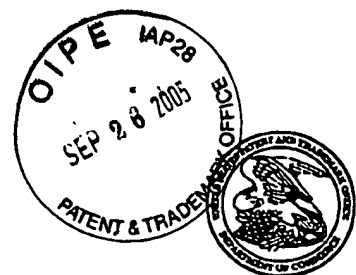
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Jeffrey M. Libby</i>		
Typed or printed name	Jeffrey M. Libby	Date	September 23, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/714,887	11/13/2003	Jacqueline E. Heard	MBI-0058 CIP

47550
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 425 MARKET STREET
 SAN FRANCISCO, CA 94105

CONFIRMATION NO. 5720
FORMALITIES
LETTER

Date Mailed: 09/12/2005

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
 CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
 DISCLOSURES**

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).


- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

To Download Patent Software, visit <http://www.uspto.gov/web/patents/software.htm>
 For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
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*A copy of this notice **MUST** be returned with the reply.*


Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382
PART 3 - OFFICE COPY